

IN RE: PETITION FOR VARIANCE
N/S Lennings Lane, 620' W of the c/l
Franklin Square Hospital Drive
(9112 Lennings Lane)
14th Election District
6th Council District

Etta C. Mohr, Owner;
David Winter, et ux, Contract Purchasers

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-234-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Etta C. Mohr, and the Contract Purchasers, David A. and Jennifer R. Winter, through their attorney, Ralph K. Rothwell, Jr., Esquire. The Petitioners seek relief from Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure larger than the principal dwelling, to remain on the subject property, and from Section 400.3 of the B.C.Z.R. to allow said accessory structure in excess of the maximum allowed 15 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Etta Mohr, property owner, David and Jennifer Winter, Contract Purchasers, Elaine Roberts, adjacent property owner, Buck Jones, Builder, and David Billingsley, with Central Drafting & Design, Inc., the consultants who prepared the site plan. It is to be noted that Jennifer Winter is Ms. Mohr's granddaughter, and Ms. Roberts' daughter. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the north side of Lennings Lane, just east of Hospital Drive and the Franklin Square Hospital complex in Rosedale. The property contains a gross area of 3.5874 acres, more or less, zoned D.R.3.5 and is improved with a single family dwelling, a barn and two storage sheds. The subject property was at one time part of a larger tract, which has been in the Mohr family for

ORDER RECEIVED FOR FILING
Date 2/27/02
By [Signature]

many years. Ms. Mohr, the matriarch of the family, is in her 90s and still resides on the property in the dwelling known as 9112 Lennings Lane. Over the years Ms. Mohr and her husband subdivided parts of their original holdings to create building lots for members of their family. In this regard, Ms. Mohr's daughter, Elaine Roberts, resides on the parcel identified as 9110 Lennings Lane.

In any event, Ms. Mohr now proposes to subdivide the property further to create a second lot for her granddaughter and her husband, who wish to develop same with a single family dwelling. Lot 2 will be known as 9114 Lennings Lane, and will contain 0.92531 acres in area. Mr. Jones has been engaged as the builder.

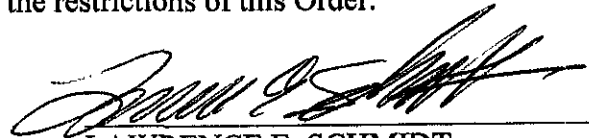
In addition to the dwelling as noted above, the property is also improved with a 39'x36' barn, to which is attached a larger building, identified as a storage shed, that is 62'x60' in dimension. Both buildings have existed on the property for many years (approximately 90 years) and exceed the maximum height allowed by the zoning regulations. The shed is 18 feet high and the barn is 40 feet high. Although these accessory structures have existed on the property for many years, variance relief is necessary to legitimize their heights, in view of the proposed subdivision and creation of a new lot. Relief is requested not only for a height variance as described above, but also because the accessory buildings are larger than the principal building. In this regard, the footprint of the existing dwelling is 1,432 sq.ft.; however, the shed and barn contain a combined area of 5,124 sq.ft. It was indicated that these structures were originally used years ago when the property was farmed. Although there is no agricultural use of the property at the present time, the buildings continue to be used for storage purposes. They are not used as dwellings or for business purposes.

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Variance. It is clear that these structures have existing on the property for many years without detrimental impact to adjacent properties, and that strict compliance would be impractical and unnecessarily burdensome. Thus, I am persuaded that they should remain.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of February, 2002 that the Petition for Variance seeking relief from Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure larger than the principal dwelling, to remain on the subject property, and from Section 400.3 of the B.C.Z.R. to allow an accessory structure in excess of the maximum allowed 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Within sixty (60) days of the date of this Order, Petitioners shall have new deeds recorded in the Land Records of Baltimore County referencing this case and setting forth the terms and conditions of the Order.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 2/27/02
By LRP



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

February 27, 2002

Ralph K. Rothwell, Jr., Esquire
Maslan, Maslan & Rothwell
7508 Eastern Avenue
Baltimore, Maryland 21224

RE: PETITION FOR VARIANCE
N/S Lennings Lane, 620' W of the c/l Hospital Drive
(9112 Lennings Lane)
14th Election District – 6th Council District
Etta C. Mohr, Owner; David Winter, et ux, Contract Purchasers - Petitioners
Case No. 02-234-A

Dear Mr. Rothwell:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Etta C. Mohr, 9112 Lennings Lane, Baltimore, Md. 21237
Mr. & Mrs. David Winter, 1305-H Cedar Crest Court, Edgewood, Md. 21040
Mr. Buck Jones, 500 Vogts Lane, Baltimore, Md. 21221
People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9112 Lennings Avenue

which is presently zoned D.R. 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

Variance for accessory structure which is larger than principle structure.
Variance of Section 101 of the Baltimore County Zoning Code.

Variance of Section 400.3 of the Baltimore County Zoning Code to allow accessory structure in excess of 15 foot high.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Pre-existing farm buildings.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

David and Jennifer Winter

Name - Type or Print

Signature

1305 H Cedar Crest Ct.

Address

Edgewood, MD 21040

City

State

Zip Code

Attorney For Petitioner:

Ralph K. Rothwell, Jr.

Name - Type or Print

Signature

Maslan, Maslan & Rothwell, P.A.

Company

7508 Eastern Avenue 410-282-2700

Address

Baltimore, Maryland 21224

City

State

Zip Code

Legal Owner(s):

Etta C. Mohr

Name - Type or Print

Signature

Name - Type or Print

Signature

9112 Lennings Lane 410-687-3229

Address

Rosedale, MD 21237

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Ralph K. Rothwell, Jr.

Name

7508 Eastern Avenue 410-282-2700

Address

Baltimore, MD 21224

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 HR.

UNAVAILABLE FOR HEARING

Reviewed By JL

Date 12/04/01

Case No. 02-234-A

Date 9/15/98

Jan 9, 11, 15 (P.M.), 17, 18, 31
George - please call Atty

ORDER RECEIVED FOR FILING

02-234-A

ZONING DESCRIPTION

9112 LENNINGS LANE

PROPOSED LOT #3 IN SUBDIVISION OF
MOHR PROPERTY (PENDING APPROVAL)

Beginning for the same at a point in the center of Lennings Lane, distant 620 northeasterly from the center of Hospital Drive, thence:

(1) N 50°18' 05" W 206.52 feet, thence (2) S 50°34' 47" W 120.12 feet, thence (3) N 65°50' 31" W 52.58 feet, thence (4) S 50°34' 59" W 60.01 feet, thence (5) N 50°43' 14" W 289.43 feet, thence (6) N 49°43' 16" E 297.76 feet, thence (7) S 50°23' 22" E 277.00 feet, thence (8) S 15°13' 27" W 57.49 feet, thence (9) S 50°09' 13" E 236.75 feet, thence (10) S 50°07' 59" W 47.62 feet to the place of beginning.

Containing 2.3694 acres of land more or less. Being located in the Fourteenth Election District.

MINOR SUBDIVISION # 01-068-M.

BALTIMORE COUNTY, MARYLAND

OFFICE OF BUDGET & FINANCE

MISCELLANEOUS RECEIPT

No. 02234 A08176

DATE 12/04/01 ACCOUNT ~~001006~~ 6150

AMOUNT \$ 50.00

RECEIVED

FROM:

~~RALPH~~ RALPH RETHWELL

FOR:

RES VAR

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT

ACTUAL

TIME

12/05/2001 12/04/2001 14:35:35

REF NO01 CASHIER JRIC JMR DRAGER 1

>> RECEIPT # 074401

DEPT 5 529 ZIMING VERIFICATION

CR NO. 008176

OFLW

Receipt Tot

50.00

OK

50.00

.00

CA

Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #02-234-A
9112 Lennings Avenue
NW/S of Lennings Avenue,
620' NE of Hospital Drive
14th Election District
6th Councilmanic District
Legal Owner(s): Etta C. Mohr
Contract Purchaser(s):

Jennifer & David Winter
Variance: to permit an accessory structure in excess of 15 feet high, 18 feet + (40 feet existing) and longer than the dwelling.

Hearing: Monday, February 11, 2002 at 11:00 a.m.
in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

1/324 Jan. 24 CB16792

CERTIFICATE OF PUBLICATION

1/24, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/24, 2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 02-234-A

Petitioner/Developer: JENNIFER

+ DAVID WINTER

Date of Hearing/Closing: 2/11/02

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 9112 LENNINGS

AVE

The sign(s) were posted on 1/26/02
(Month, Day, Year)

Sincerely,

[Signature] 1/26/02
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

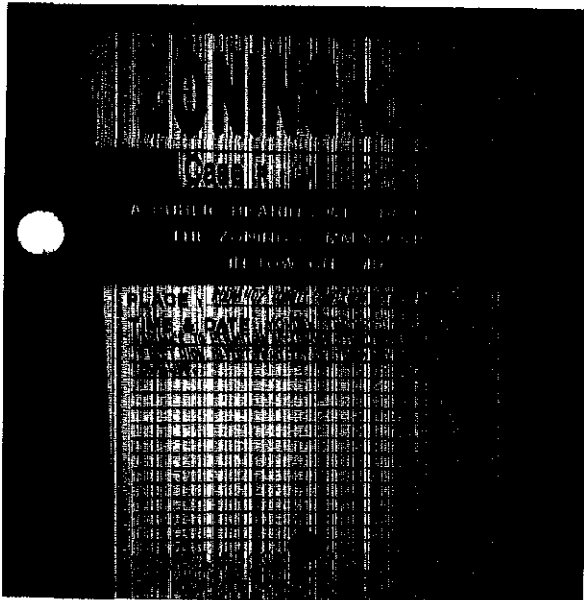
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 02-234-A

Petitioner: Etta C. Mohr

Address or Location: 9112 Lennings Lane, Balto. 21237

PLEASE FORWARD ADVERTISING BILL TO:

Name: Ralph K. Rothwell

Address: 7508 Eastern Ave
Balto., Md. 21224

Telephone Number: 410 282 2700

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 24, 2002 Issue – Jeffersonian

Please forward billing to:
Ralph K Rothwell
7508 Eastern Avenue
Baltimore MD 21224

410 282-2700

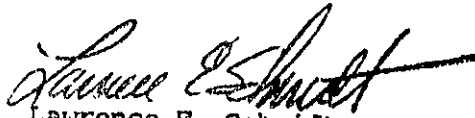
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CASE NUMBER: 02-234-A
9112 Lennings Avenue
NW/S of Lennings Avenue, 620' NE of Hospital Drive
14th Election District – 6th Councilmanic District
Legal Owner: Etta C Mohr
Contract Purchaser: Jennifer & David Winter

Variance to permit an accessory structure in excess of 15 feet high, 18 feet + (40 feet existing) and longer than the dwelling

HEARING: Monday, February 11, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G D Z
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

January 15, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-234-A
9112 Lennings Avenue
NW/S of Lennings Avenue, 620' NE of Hospital Drive
14th Election District – 6th Councilmanic District
Legal Owner: Etta C Mohr
Contract Purchaser: Jennifer & David Winter

Variance to permit an accessory structure in excess of 15 feet high, 18 feet + (40 feet existing) and longer than the dwelling

HEARING: Monday, February 11, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon GDL
Director

C: Ralph K Rothwell Jr, Maslan, Maslan & Rothwell, 7508 Eastern Avenue
Baltimore 21224
David & Jennifer Winter, 1305 H Cedar Crest Court, Edgewood 21040
Etta C Mohr, 9112 Lennings Lane, Rosedale 21237

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 26, 2002.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 8, 2002

Ralph K Rothwell Jr
Maslan Maslan & Rothwell PA
7508 Eastern Avenue
Baltimore MDD 21224

Dear Mr. Rothwell:

RE: Case Number: 02-234-A, 9112 Lennings Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 04, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr. G.D.?
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Etta C Mohr, 9112 Lennings Lane, Rosedale 21237
David & Jennifer Winter, 1305 H Cedar Crest Court, Edgewood 21040
People's Counsel

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** January 24, 2002

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 7, 2002
Item Nos. 221, 222, 224, 225, 226, 227,
228, 229, 231, 232, 233, 234, 237, 239,
and 240

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

January 4, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF December 31, 2001

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

221, 222, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, ~~234~~,
235, 236, 237, 238, 239, and 240

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

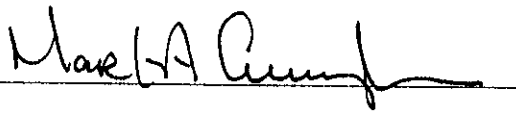
DATE: January 4, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-177, 02-234 & 02-237

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 1.2.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. [REDACTED] L

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Ken Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE
9112 Lennings Avenue, NW/S Lennings Ave,
620' NE of Hospital Dr
14th Election District, 6th Councilmanic

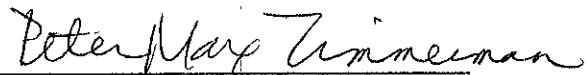
Legal Owner: Etta C. Mohr
Contract Purchasers: David & Jennifer Winter
Petitioner(s)


* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-234-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of January, 2002 a copy of the foregoing Entry of Appearance was mailed to Ralph K. Rothwell, Jr., Esq., Maslan, Maslan & Rothwell, 7508 Eastern Avenue, Baltimore, MD 21224, attorney for Petitioner(s).


PETER MAX ZIMMERMAN

02-234-A

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

DAVID BILLINGSLEY

Elaine Roberts

Etta Mohr

DAVID WINTER

Jennifer Winter

BUCK JONES

ADDRESS

ADDRESS
CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD CT. 21040

9110 Hennings Lane 21237

9112 Lennings Lane 21237

9110 LENNINGS LANE 21237

9110 Lennings Lane 21237

500 VOC'S LAMP 2/22/



Printed with Soybean Ink
on Recycled Paper

LAW OFFICES

MASLAN, MASLAN AND ROTHWELL, P.A.

7508 EASTERN AVENUE

BALTIMORE, MARYLAND 21224

GARY R. MASLAN

RALPH K. ROTHWELL, JR.

(410) 282-2700

FAX: (410) 282-3336

M. MICHAEL MASLAN
(1911 - 1998)

November 16, 2001

Mark J. Daneker, Esquire
Suite 800
210 North Charles Street
Baltimore, Maryland 21201

Re: Etta Mohr
9112 Lennings Lane
Proposed New Lot described as Lot No. 2 on
Plat of same dated October 19, 2001

Dear Mr. Daneker:

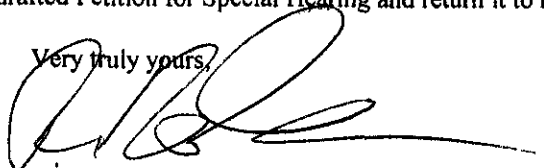
In the interest of being able to list Jennifer and David Winter as contract purchasers/donees of the proposed new lot for purposes of proceeding with and obtaining the appropriate zoning variances, I am proposing that by this letter agreement to be executed by your client, we document the donative intent.

It is the understanding of Etta C. Mohr, as indicated by her signature below, that she will make a gift to Jennifer and David Winter of that lot described of the proposed site plan of October 19, 2001, as if and when the Winters are able to obtain appropriate zoning variances and approvals from the appropriate county agencies for the creation of that lot. Within thirty days after the said approvals and creation of said lot, the undersigned Etta C. Mohr hereby agrees to convey to the Winters by deed the lot described in that plat and description attached hereto.

Please have your client Ms. Mohr review this and if acceptable, sign it, returning an executed copy to me.

Please also have your client execute the redrafted Petition for Special Hearing and return it to me for filing.

Very truly yours,

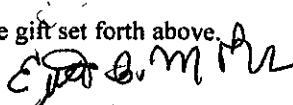


Ralph K. Rothwell, Jr.


RKR,Jr:spk
cc: Jennifer and David Winter
David Billingsley

I hereby consent to the terms of the gift set forth above.

Date 11-23-01



Etta C. Mohr


No 3

no consideration
no judgment such
no file search
no transfer tax

This Deed, MADE THIS

6

day of

June

in the year one thousand nine hundred and eighty-eight

by and between

✓ Simon H. Mohr and ✓ Etta Mohr, his wife

of Baltimore County

of the first part, and

✓ Simon H. Mohr and ✓ Etta Mohr, his wife, as tenants by the entirety

of the second part.

WITNESSETH, That in consideration of the sum of No consideration, Husband and Wife, back to
Husband and Wife

the said Simon H. Mohr and Etta Mohr, his wife

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE

JR

DATE

6-16-88

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

JR 6-16-88

Date

Red
NO2

do grant and convey to the said Simon H. Mohr and Etta Mohr, his wife, their
as tenants by the entirety

A R C F 16.00

personal representatives/successors and assigns

, in fee simple, DEED 0 #

lot 2 of ground situate in Baltimore County

CLERK 16.00

#40448 C003 R01 T14:18

06/20/88

and described as follows, that is to say:

BEGINNING for the same at a point on the first line of the 10 acres parcel of land secondly described in a deed dated June 11, 1940, and recorded among the land records of Baltimore County in Liber C.W.B. Jr., 1102 folio 427 was conveyed by Henry S. Mohr, widower, to Simon H. Mohr, said point of beginning being 546 feet measured southeasterly along said first line from the beginning thereof, thence running with and binding on part of said first line as now surveyed South 50 degrees 07 minutes 20 seconds East 337.26 feet to the end of the third line of that parcel of land recorded aforesaid in Liber 5068 folio 11 was conveyed by Simon H. Mohr and wife to Donald A. Roberts and wife; thence binding reversely on said third line North 50 degrees 50 minutes 56 seconds East 100 feet, to the end of the third line of that parcel of land recorded aforesaid in Liber 5098 folio 612 was conveyed by Simon H. Mohr and wife to Henry E. Mohr and wife; thence binding reversely on said third line and reversely on the second line as follows; North 50 degrees 50 minutes 56 seconds East 100 feet and South 50 degrees 07 minutes 20 seconds East 206.48 feet to the south side of Lenning Lane and to intersect the second line of the 10 acre parcel above referred to, thence running with and binding on part of said second line along the south side of Lenning Lane North 50 degrees 50 minutes 56 seconds East 50.92 feet, thence leaving Lenning Lane for two lines of division as follows: North 50 degrees 07 minutes 20 seconds West 184 feet and North 50 degrees 50 minutes 56 seconds East 63.92 feet to the end of the second line of that parcel of land recorded aforesaid in Liber 5254 folio 476 was conveyed by Simon H. Mohr and wife to Edwart Hart, etal; thence binding reversely on said second line North 50 degrees 50 minutes 56 seconds East 86.10 feet to intersect the third line of the 10 acre parcel of land above referred to, thence running with and binding on part of said third line North 50 degrees 07 minutes 20 seconds West 365.22 feet to the end of the second line of that parcel of land which by deed dated June 2, 1982, and recorded aforesaid in Liber E.H.K.JR. 6243 folio 89 was conveyed by Simon H. Mohr and wife to Germar Properties Limited; thence binding reversely on said second line South 50 degrees 02 minutes 11 seconds West 399.48 feet to the place of beginning.

Containing 3.47 acres of land more or less.

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY, MARYLAND
Per Gedman Kelly
Authorized Signature
Date 6-13-88 Sec. 11-85 F

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To HAVE AND To HOLD the said described lot of ground and premises to the said

Simon H. Mohr and Etta Mohr, his wife

personal representatives/successors

and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of said grantors

Test:

John E. Bohler Jr.

Simon H. Mohr (SEAL)
SIMON H. MOHR

Etta Mohr (SEAL)
ETTA MOHR

STATE OF MARYLAND, Baltimore County, to wit:

I HEREBY CERTIFY, That on this 6th day of June, in the year one thousand nine hundred and eighty-eight, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Simon H. Mohr and Etta Mohr

known to me (or satisfactorily proven) to be the person whose name is/are subscribed to the within instrument, and acknowledged the foregoing Deed to be act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

John E. Bohler Jr.
Notary Public

My Commission expires:

7-1-90



John E. Bohler Jr.
6708 Belair Rd

21206

M DEED 774

FROM

SIMON H. MOHR and ETTA MOHR

TO

SIMON H. MOHR and ETTA MOHR

Block No.

Received for Record, 19

at o'clock M. Same day recorded

in Liber No. Folio &c.

one of the Land Records of

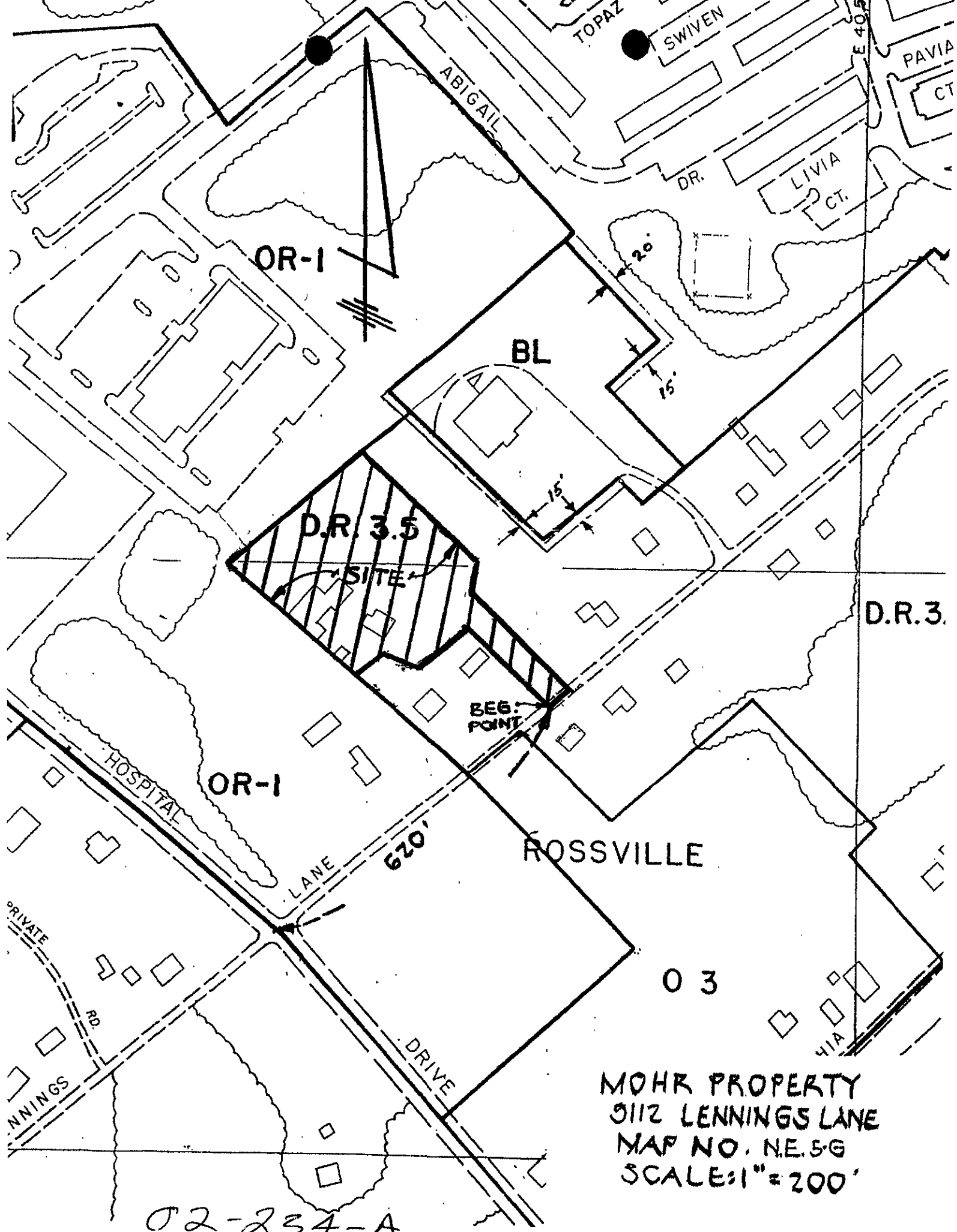
, and examined per

Clerk.

Cost of Record, \$

John Edward Bohlen, Jr.

ATTORNEY AT LAW
6708 BELAIR ROAD
BALTIMORE, MARYLAND 21206



OR-1

BL

D.R. 3.5

SITE

BEG. POINT

D.R. 3

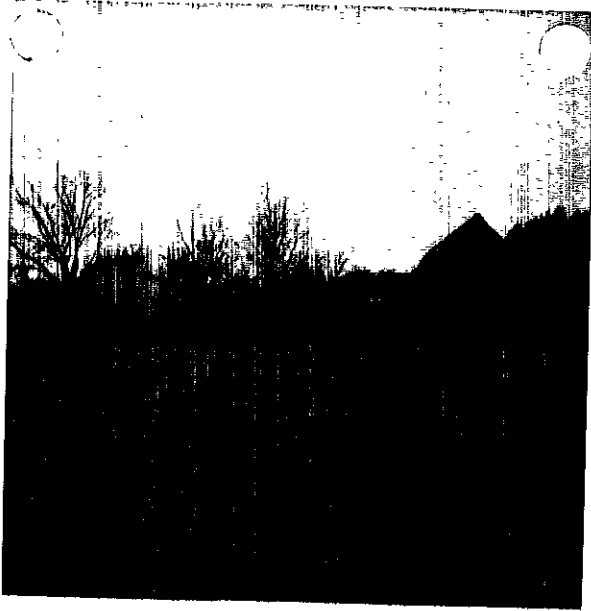
OR-1

ROSSVILLE

03

MOHR PROPERTY
3112 LENNINGS LANE
MAP NO. NE.5G
SCALE: 1"=200'

02-234-A

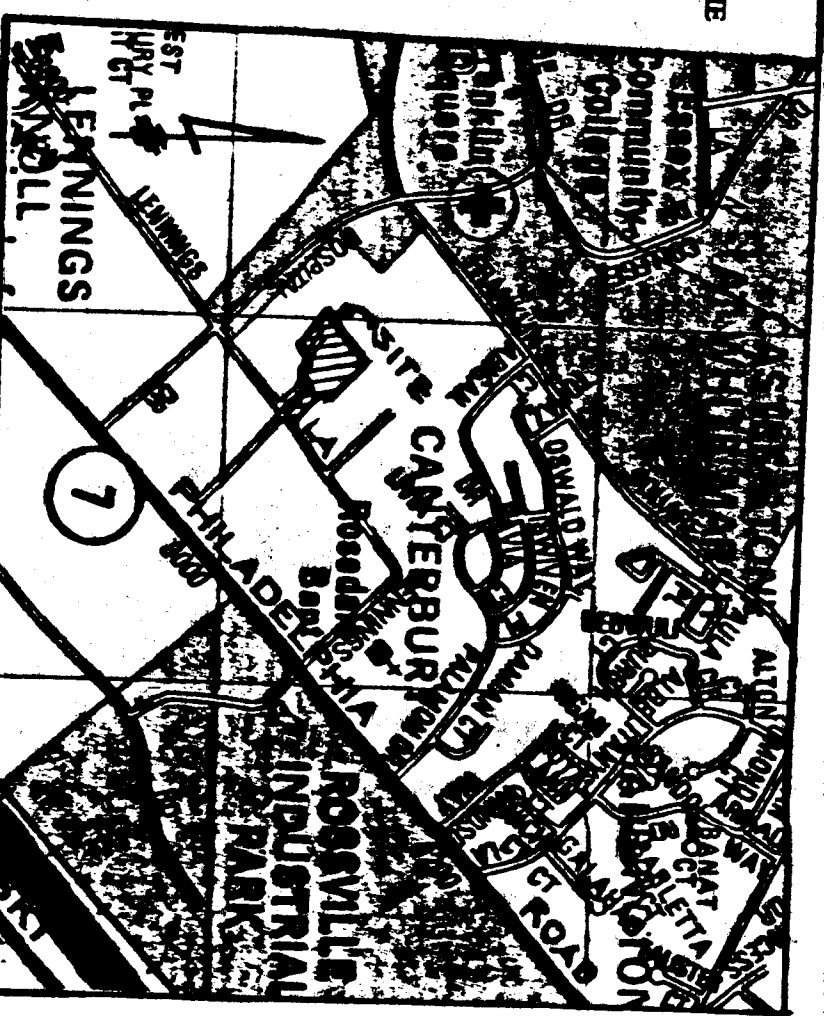


view from proposed winter lot
P24 B



view from Don & Elaine Roberts'
P24 home

DENSITY NOTE:
THE PROPERTIES AS SHOWN ON THE PLAN HAVE BEEN HELD IN CONTACT SINCE 1971. THE DEVELOPER'S SURVEYOR HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THE PROPERTIES AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFFSITE DWELLING.



VICINITY MAP
SCALE: 1"=1000'

NOTES: (FOR MINOR SUBDIVISION PLAT)

- OWNERS: ETTA C. MOHR
912 LENNINGS LANE
BALTIMORE, MARYLAND 21217 (410) 666-0184
L. 7793 F. 774 PROP. NO. 2100035380
L. 8793 F. 471 PROP. NO. 1400000967
ROBERT W. & BRILYNIA I. MOHR
916 LENNINGS LANE
BALTIMORE, MARYLAND 21217
L. 6419 F. 561 PROP. NO. 2100035381
L. D. R. 3.020 SCALE ZONING MAP N.E. 8-B
- DENSITY CALCULATIONS
GROSS AREA - 3.947 ACRES
NO. OF LOTS ALLOWED - 1,5847 X 3.5 = 12 LOTS
- TO THE PREPARED & KNOWN: NO WELLS, SEPTIC SYSTEMS, UNDERGROUND STORAGE TANKS OR WETLANDS EXIST ON SITE.
- WATERSHED - 22 - SOUTH FORK WHITEHART RUN
- SUB-SEVERED - 4
- REGIONAL PLANNING DISTRICT - 321
- CENSUS TRACT - 4407.00
- TAX MAP 12 BLOCK 20 PARCEL 175, 726 AND 802
- SCHOOL DISTRICTS: ELEMENTARY - SHADY SPRINGS
MIDDLE - GOLDEN RING
HIGH - OVERLEA
- THE AREA BETWEEN THE SIGHT LINE AND THE CURB LINE MUST BE CLEARED, GRADED AND KEPT FREE FROM ANY OBSTRUCTIONS.
- THE PRIVATE ROADWAY SHALL BE CONSTRUCTED IN ACCORDANCE WITH D.P.W. STANDARD PLATE R-1. (11" PAVING SECTION, WIDTH AS SHOWN ON PLAN.)
- THE PRIVATE ROADWAY SHALL BE PAVED WITHIN ONE YEAR OF THE ISSUANCE OF THE OCCUPANCY PERMIT FOR THE FIRST LOT AND PRIOR TO THE RESURANCE OF THE ROAD. NO ADDITIONAL LOTS WILL BE PERMITTED WITHOUT THE CONSTRUCTION OF A PUBLIC ROAD. THE CROSS HATCHED AREA SHALL BE RESERVED FOR THE POSSIBLE FUTURE PUBLIC ROAD RIGHT OF WAY.

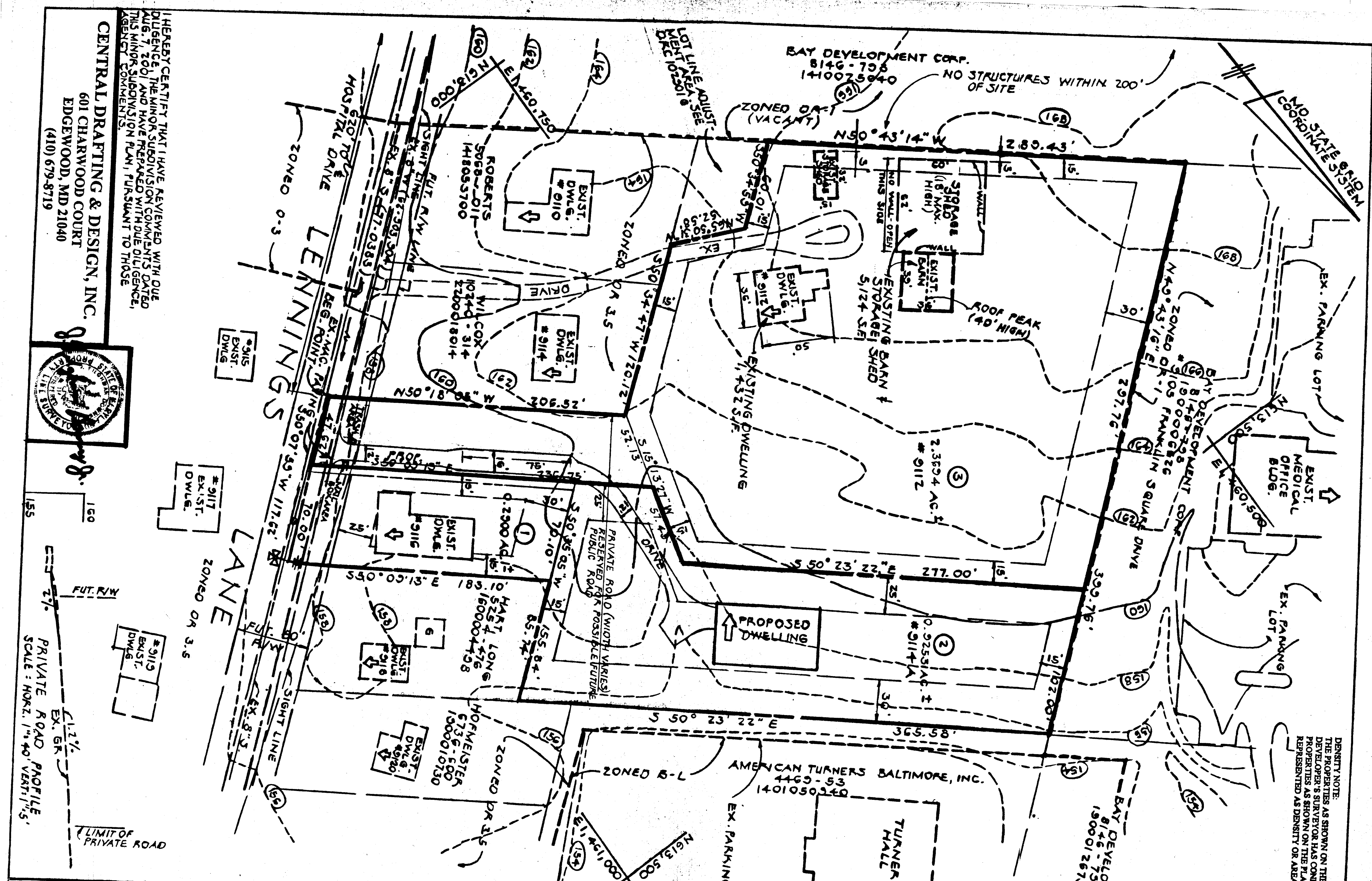
234

VARIANCES:

- FROM SECTION 101 TO ALLOW AN ACCESSORY STRUCTURE WHICH IS LARGER THAN THE PRINCIPAL STRUCTURE.
- FROM SECTION 400.3 TO ALLOW AN ACCESSORY STRUCTURE IN EXCESS OF 15 FEET HIGH.

PLAT TO ACCOMPANY
REQUEST FOR VARIANCES
9112 LENNINGS LANE

PROPOSED LOT 3
MOHR PROPERTY-01068M
ELECTION DISTRICT 14, G6
BALTIMORE COUNTY, MD.
SCALE: 1"=40'
OCTOBER 19, 2001



I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE, THE MINOR SUBDIVISION COMMENTS DATED AUG. 7, 2001 AND HAVE PREPARED WITH DUE DILIGENCE, THIS MINOR SUBDIVISION PLAN, PURSUANT TO THOSE AGENCY COMMENTS.

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719



SCALE: HORIZ. 1"=40' VERT. 1"=5'
PRIVATE ROAD PROFILE
LIMIT OF PRIVATE ROAD